

TO: Honorable Mayor James E. Dyer - City of Danbury, Connecticut

SUBJECT: Minutes of the Common Council Meeting held on January 5, 1982.

The Meeting was called to order at 8:00 O'Clock P.M. by his honor Mayor James E. Dyer, who led the assembly in the Pledge of Allegiance to the Flag.

The Common Council Prayer was offered by Councilman Joseph DaSilva.

Roll Call was taken by City Clerk Elizabeth Crudginton with the following members being recorded as:

PRESENT: Council Members - Elder, Gallo, McGarry, Foti, Torcaso, Eriquez, Esposito, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian, White, Cassano, Charles, Boynton, Burke, Evans, Farah.

ABSENT: Councilwoman Janet Butera.

21 Members Present - 1 Member Absent. It was reported that Mrs. Butera was absent for medical reasons.

NOTICES FROM MAYOR DYER

Mayor Dyer announced and offered Birthday Greetings to the following:

- Jan. 2nd. - Councilman Louis T. Charles
- Jan. 5th. - Democratic Registrar William Blakely
- Jan. 8th. - State Representative Joseph Walkovich
- Jan. 11th - Councilman Mounir Farah
- Jan. 26th - Councilman Bernard Gallo

Mayor Dyer commended Mr. Peter Winter of Civil Preparedness, Police Chief Nelson Macedo, Fire Chief Joseph Bertalovitz, and all Volunteer Fire Departments, & Emergency/medical personnel who responded to what could have been a major disaster at Union Carbide. They all responded so well in outstanding fashion.

Best Wishes to all are extended from the Common Council and the Mayor's Office. Mayor Dyer also noted that over the past two years the Council really led the effort to provide the kind of equipment and the emergency response team that averted what could have been a disaster. The Mayor thought the Common Council should have been commended as well.

Mayor Dyer extended a Happy New Year Greeting and Best Wishes for 1982 for Health & Happiness to all as we work together for the betterment of our City.

CONSENT CALENDAR

A motion was made by Councilman DaSilva and seconded by Councilman Torian that the following items listed on the Agenda, be placed on the Consent Calendar:

Mayor Dyer explained that the Consent Calendar is that list of items which is agreed as being non-controversial and basically items that can be handled by one unanimous consent vote.

Mayor Dyer then recognized Councilman Burke who remarked that whereas we now have 21 Democratic members on the Council "I would like the Consent Calendar stopped".

Mayor Dyer explained that he had Corporation Counsel ruling provided, which says that's not necessary. A Consent Calendar does not specifically address a minority or majority. A Consent Calendar in Roberts Rules which we operate under, deals specifically with a body operating under unanimous consent rule.

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Councilman DaSilva submitted the following items for the Consent Calendar:

- 02 - Resolution - Settlement of Claims.
& Certification
- 03 - Resolution - Grant For Cultural Commission.
- 04 - Resolution - Grant for High Blood Pressure Program.
- 05 - Resolution - Traffic Signal - Rt. 6 & Kenosia Ave.
- 09 - Communication - Donation of Poles from SNET Co. for Hatters Park.
- 018 - Communication - To rent E.M.S. Radio from Danbury Hospital.
- 021 - Communication - City of Danbury vs Oak Land Corporation.
- 022 - Communication & Certification - Request to release funds to Danbury
Model Senior Center.
- 024 - Communication & Certification - Request for funds for Zoning Commission
- 025 - Communication & Certification - Transfer of funds from Sewer Fund
Surplus Account.
- 028 - Communication - Appointments to Conservation Commission.
- 029 - Communication - Appointment to Youth Commission.
- 030 - Communication - Appointments to Aviation Commission.
- 031 - Communication - Re-appointments to Library Board of Directors.
- 033 - Communication - Appointments to Environmental Impact Commission.
- 035 - Report - Request of E. Hawley - Nutmeg Square for Sewer Extension
on Newtown Road - Shopping Center.
- 036 - Report - Request of Lakewood Associates Limited Partnership for water
line extension - Pembroke Road.
- 037 - Report - Forest Avenue Sewer Project.
- 038 - Report - Surplus Kitchen equipment at Hatters Park.
- 039 - Report - Request to purchase City property at Danbury Airport.
- 041 - Report & Resolution - Refugee Health Services.
- 043 - Report - Request from Channel Six.
- 044 - Report - Land Acquisition Committee Report.
- 046 - Report - Proceeds from Vending Machines.
- 048 - Report - Welfare Department Concerns and Needs.
- 049 - Report - Compliance with Section 504 - (Handicapped).
- 050 - Report - Aviation Minimum Lease Standards.

"If any one single legislative body, be it all one party or a minority-majority party, decides to adopt items by unanimous consent, that is provided for in Roberts Rules.

If you desire Mr. Burke to request all items to be removed on the proposed Consent Calendar this evening, that is your privilege and that is your right as an individual member, and it would therefore effectively absolve the body of a Consent Calendar this evening. You are saying that you want all those items that are on the proposed Consent Calendar removed?"

Mr. Burke replied "Yes" and Mayor Dyer so ordered.

MINUTES of the Common Council Meeting held on December 1, 1981.

A motion was made by Councilman DaSilva and seconded by Councilman Torian that the Minutes be accepted as submitted. Motion carried unanimously.

CLAIMS - Maria Furtado - Stephen Pollock - Ruth Doyle - David Rice -
Lawrence TerHaar - Ghislain Poirier - Thomas Riddle - J.A. Lynch, Jr.

A motion was made by Councilman Repole and seconded by Councilman McGarry that the Claims be referred to the Claims Committee and Corporation Counsel for Claims (Attorney West). Mayor Dyer so ordered.

02 - RESOLUTION - Settlement of the following Claims:

The Hartford Insurance Group in settlement of the claim of Lina Hancock, \$2,500.00

The Hartford Insurance Group in settlement of the claim of Irene J. Sczesny - \$2,500.00

The Hartford Insurance Group in settlement of the claim of Louise Ramen - \$2,500.00

The Hartford Insurance Group in settlement of the claim of Loretta Durkin - \$2,500.00

A Certification was submitted by Mr. John P. Edwards Acting Director of Finance, in the amount of \$10,000 in the State Contingency Fund to be transferred to the Claims Account.#02-09-110-073500.

A motion was made by Councilman Evans and seconded by Councilman Boynton that the Resolution be adopted and Claims authorized to be paid. Motion carried unanimously, and the Resolution was adopted.

03-Resolution - Whereas, an application and a contract for a \$4,000 Grant with no local match requirement by the City of Danbury has been processed by the Danbury Cultural Commission;

Now Therefore, Be It Resolved that the past actions of the Danbury Cultural Commission in applying and contracting for said Grant be and hereby are ratified, and that any and all additional acts necessary to effectuate the purposes hereof be and hereby are authorized.

Note: The Connecticut Commission on the Arts has made funds available to cultural organizations in accordance with Section 10-370 of the General Statutes of the State of Connecticut and Public Act No. 78-187.

A motion was made by Councilman Boynton and seconded by Councilman Farah that the Resolution be adopted. Motion carried and the Resolution was adopted unanimously.

04-Resolution - High Blood Pressure Program.

Whereas, the Connecticut High Blood Pressure Program has approved and funded the grant request of up to \$19,578.00 with no local match requirement;

Now, Therefore, Be It Resolved That the actions of the Danbury Health Department in applying for the said grant be and hereby are ratified; and

Be It Further Resolved That any and all further actions by the Danbury Health Department and the Mayor of the City of Danbury required to accomplish said program be and hereby are authorized.

A motion was made by Councilman Gallo and seconded by Councilman McGarry that the Resolution be adopted. Motion carried and the Resolution was adopted unanimously.

05-COMMUNICATION & RESOLUTION - Traffic Signalization - Rt. 6 & Kenosia Ave.

A Communication was received from Eric L. Gottschalk, Assistant Corporation Counsel stating that at its December 1st meeting, the Common Council approved a transfer of funds and authorized the installation of a traffic control signal at the intersection of Route 6 and Kenosia Avenue in Danbury. In order to finalize this matter the State of Connecticut requires the adoption of the following Resolution:

05-

RESOLUTION - The State of Connecticut is willing to fund the cost of the installation of a traffic control signal at the intersection of Route 6 at Kenosia Avenue in the City of Danbury at the rate of 66 2/3%;

Now Therefore Be It Resolved that Nelson F. Macedo, Chief of Police of Danbury, is authorized to execute Agreement No. 9.29-02 (81) between the State of Connecticut and the City of Danbury on State Project No. 270-205 (034-2440) for the installation of a traffic control signal at the intersection of Route 6 at Kenosia Avenue in the City of Danbury; and

Be It Further Resolved that Mayor James E. Dyer and Chief of Police Nelson Macedo be and hereby are authorized to do any and all acts necessary to accomplish this project.

A motion was made by Councilman McGarry and seconded by Councilman Eriquez for the Resolution to be adopted. Motion carried by a vote of 19 Ayes 1 Nay (Councilman Cassano voted Nay). Resolution was adopted.

06 - ORDINANCE - Amendment to Section 2-97 - Consent Calendar.

Councilman DaSilva requested deferral for a public hearing to be held. Mayor Dyer so ordered.

07-COMMUNICATION - Request from Mayor Dyer to have signs at the entrances to I-84 repainted.

Councilman White requested referral to committee. Mayor Dyer so ordered and appointed the following members to this committee: Farah, Elder, Esposito

08-COMMUNICATION - Request from Mayor Dyer for the Road Improvement Bond Program to be reviewed, modified, trimmed down and reworded, and that it be placed on the November, 1982 election ballot for optimum citizen participation.

Councilwoman McManus requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

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COMMUNICATION - Request from Robert Ryerson, Director of Parks and Recreation for the Common Council approve the acceptance of 50 foot poles from the S.N.E.T. Company who has offered to install these poles around the pond at Hatters Community Park, for lights to provide illumination for ice skating on the pond.

A motion was made by Councilman DaSilva and seconded by Councilman Eriquez that the Communication be accepted and that the donation of the poles be accepted also. Motion carried.

Mayor Dyer expressed gratitude for this donation from S.N.E.T. Company and the lights from Berol Corporation.

010- COMMUNICATION - Request to review and amend the Environmental Impact Commission Ordinance.

Councilwoman McManus requested referral to committee. Mayor Dyer so ordered and appointed the following members to this committee: Torian, Eriquez, Torcaso.

011-COMMUNICATION - Request for an Ordinance that will require water restrictors and high efficiency water saving toilets in all newly constructed buildings, both residential and commercial, ultimately saving many thousands of gallons of water.

Councilwoman McManus requested referral to the Health Committee. Mayor Dyer so ordered and appointed the

012- COMMUNICATION - Request from Albert H. Hornig for extension of sewers to all homes on Dogwood Drive.

Councilman DaSilva requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

013-COMMUNICATION - Drain and Conduit on Glendale Drive.

Councilman White requested referral to the Public Works Committee and Planning Commission. Mayor Dyer so ordered.

014- COMMUNICATION - Request from Mayor Dyer for an ad-hoc committee to work with Jack Green, Consulting Engineer for the Housatonic Valley Council of Elected Officials, in the compilation of a regional septic treatment study.

It has also been suggested that the ad hoc committee be made up of three Council members and three citizens-at-large.

Councilman White requested referral to an ad-hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: DaSilva, Gallo, Eriquez.

015-COMMUNICATION - Request for Common Council Liaison Committee to the Charter Revision Commission.

Councilman Torian requested referral to committee. Mayor Dyer so ordered and appointed the following members as the Liaison committee: DaSilva, McManus, Torian.

016-COMMUNICATION - Request for the establishment of a Commission for the Handicapped.

Councilman White requested referral to an ad hoc committee. Mayor Dyer so ordered and appointed the following members to this committee: Cassano, Repole, Esposito.

017-COMMUNICATION - Request from Connecticut Air Service, Inc. for a written lease for the 1.17 acre parcel of land at the airport that has been and continues to be used by Connecticut Air Service.

Councilman White requested referral to an ad hoc committee/and the Planning Commission. Mayor Dyer so ordered and appointed the following members to this committee: Cassano, Evans, Torian, Zotos, Elder.

018-COMMUNICATION - Request from R. DePalma, Ambulance Supervisor for approval to rent an E.M.S. Radio, offered by the Danbury Hospital.

The Hospital has offered the use of their radio at a nominal fee of 10% of their cost, which is \$130.00 per year. This radio will be on a rental basis so that it could be returned to the Hospital should they decide to start transporting patients.

A motion was made by Councilman Gallo and seconded by Councilman Evans that the communication be accepted and request to rent the radio be granted. Motion carried unanimously.

019 - COMMUNICATION - Vacancy on Zoning Commission.

Mayor Dyer explained that it is the prerogative of the Common Council to fill vacancies even though recommendations from political parties are welcome.

The Republican Town Committee nominated the following as candidates to fill the vacancy on the Zoning Commission created by the resignation of Joseph Iapaluccio: John DeGross, Cornelius McDougall and Alfred Garzi.

Councilwoman McManus placed in nomination for the office of Zoning Commissioner, Mr. Paul J. Mangiafico. Nomination was seconded by Councilman Eriquez.

In nominating Mr. Mangiafico, Mrs. McManus stated that most of us will agree that Danbury's first Zoning Commission was attentive to the community's best interests -- it's performance was laudable and the energies of it's members almost endless. While some may have disagreed with a specific decision, no one could question the integrity and tireless efforts of those Commissioners.

Mr. Paul Mangiafico served on that First Zoning Commission and was recognized as one of its most effective member. His decisions were dependent solely on the best interests of Danbury and that of its citizens. Mr. Mangiafico received more votes on the Republican line than any other candidate for Zoning Commission. In the 1979 election, Mr. Mangiafico also received the highest total of any Republican candidate for the Zoning Commission.

Mrs. McManus urged all fellow council members to vote for Paul Mangiafico.

Mr. Mangiafico was elected to the Zoning Commission by a vote of 20 Ayes 1 member absent.

Mayor Dyer then introduced Mr. Mangiafico and Attorney Theodore H. Goldstein, Commissioner of the Superior Court, administered the oath of office.

020-COMMUNICATION - Request from Mayor Dyer for reconsideration of funds for improvements to the West Street underpass. These improvements were deleted by the Common Council in the 1981-1982 Mayor's Budget, however the problem of inadequate signs, still remains.

Councilman White requested referral to the Public Works Committee. Mayor Dyer so ordered.

021-COMMUNICATION - City of Danbury vs. Oak Land Corporation.

This matter involves the acceptance of various roads within the City of Danbury. Attorney Gottschalk has requested that this matter be reviewed by the Planning Commission and the Common Council.

Councilman DaSilva requested referral to an ad-hoc committee and to the Planning Commission. Mayor Dyer so ordered and appointed the following members to this committee: Torian, McManus, DaSilva.

022-COMMUNICATION & CERTIFICATION - Request from the Danbury Model Senior Center for the Common Council to release \$100 from the General Fund for films rented by the Center. This request is from money that had been sent in to the City from bazaars, etc.

A Certification was submitted by Mr. John P. Edwards, Acting Director of Finance certifying as to the availability of \$100 in the State Contingency Fund (Contingency Fund for loss of State & Federal Grants) to be transferred to the Danbury Senior Center Acct. #02-05-167-040100.

A motion was made by Councilman DaSilva and seconded by Councilman Charles that the Communication be accepted and funds authorized. Motion carried unanimously.

023-COMMUNICATION & CERTIFICATION - Request for \$30,000 to be appropriated to the Overtime Services Account in the Danbury Fire Department, to cover monies to be expended in the next six to seven week period.

A Certification was submitted by Mr. John P. Edwards in the amount of \$10,910.70 available in the Contingency Fund and \$19,089.30 in the State Contingency Fund, to be transferred to the Fire Department Overtime Services Account (Total \$30,000).

Councilwoman McManus requested referral to committee. Mayor Dyer so ordered and appointed the following members to this committee: Gallo, Evans, Eppoliti. Mayor Dyer stated that this committee would be a standing Fire Committee.

024-COMMUNICATION & CERTIFICATION - Request for \$8,250, additional funds for the Zoning Commission

A Certification in the amount of \$8,250 was submitted by Mr. John P. Edwards, Acting Director of Finance, available in the State Contingency Fund (Contingency Fund for loss of State & Federal Grants) to be transferred to the Zoning Commission Accounts:

Professional Service Fees	\$4,000.
Postage	100.
Legal & Public Notices	4,000
Office Supplies	150.
Total	<u>\$8,250.</u>

A motion was made by Councilman DaSilva and seconded by Councilman Torian that the Communication be accepted and transfer of funds authorized. Motion carried unanimously.

025-COMMUNICATION & CERTIFICATION - Request from Mr. John P. Edwards, Acting Director of Finance for \$300,000 to be transferred from the Sewer Fund Surplus Account to pay off notes due April 15, 1982.

These notes represent engineering costs, interest costs and other associated expenses for (6) Sewer Projects that have been abandoned and unassignable charges that cannot be charged to any benefitting property owner.

Mr. Edwards certified the existence of the required funds. The source of the Surplus Funds is from closing out the 1969 Sanitary Bond Issue.

Abandoned Projects - 1. Candleview Ridge - 2. Hillandale Road -
3. Beaver Brook - Germantown - 4. Shannon Ridge - 5. Ryder's Lane
6. Jeanette Heights.

A motion was made by Councilman Gallo and seconded by Councilman DaSilva for the Communication to be accepted and transfer of funds authorized. Motion carried unanimously.

026-COMMUNICATION - Request from the Women's Center of Greater Danbury for \$8,100 for the Danbury Rape Crisis Service Program.

Councilman White requested referral to an Ad-Hoc Committee. Mayor Dyer so ordered and appointed the following members to this committee: McManus, Torian, DaSilva.

027-COMMUNICATION - Request from "ToughLove Concept - Danbury Parent-Support Group" for \$4,910.00 for start-up funding for a new self-help program for parents troubled by teenage behavior.

Councilman White requested referral to committee. Mayor Dyer so ordered and appointed the following members to this committee: McManus, Torian, DaSilva.

027-1-COMMUNICATION & CERTIFICATION - Request for \$150,000, additional funds required to meet Public Welfare needs.

A Certification in the amount of \$25,000 was submitted by Mr. John P. Edwards, Acting Director of Finance. \$15,000 from State Contingency Account; the balance from increasing the offsetting Revenue Account.

A motion was made by Councilwoman McManus and seconded by Councilman White that the Communication be accepted and \$25,000 authorized. Motion carried unanimously.

The balance of the request for the funds was referred to the following members: White, Charles, Zotos.

028 - COMMUNICATION - Appointments to Conservation Commission.

029 - COMMUNICATION - Appointment to the Youth Commission

030 - COMMUNICATION - Appointments to the Aviation Commission.

031 - COMMUNICATION - Re-appointments to the Danbury Library Board of Directors.

032 - Withdrawn

033 - COMMUNICATION - Appointments to the Environmental Impact Commission.

Councilman Burke requested referral of all the appointments, requesting biographies of all appointees. Mayor Dyer so ordered, and appointed the following members to this committee: McManus, DaSilva, Torian.

034 - DEPARTMENT REPORTS

Airport Administrator - Equal Rights & Opportunities Commission.

A motion was made by Councilman DaSilva and seconded by Councilman Torian to dispense with reading Department Reports as all members have copies which are also on file in the Office of the City Clerk for public inspection. Said Reports to be accepted as submitted. Motion carried unanimously.

Councilman White requested a five minute recess at 8:55 P.M.

035-REPORT - Request of Ervie S. Hawley Jr. Trustee & Samuel Roberts - Nutmeg Square, for extension of sewer line - Newtown Road Shopping Center.

Councilman Gallo submitted a report of the Sewer & Water Extension committee who has met and reviewed the above petition with the City Engineer and who has also reviewed a recommendation for approval from the Planning Commission.

It is the recommendation of the committee that the petition be granted with the following conditions and restrictions:

1. The petitioner shall bear all costs relative to the installation of said sewer line.
2. The petitioner shall submit as-built drawings of this extension, prepared by a licensed Connecticut Land Surveyor, for approval by the City Engineer.
3. Detailed Engineering Plans and Specifications are to be approved by the City Engineer and the Superintendent of Public Utilities prior to the start of construction.
4. If required, a Warranty Deed in a form satisfactory to the Corporation Counsel shall be executed by the petitioner conveying to the City of Danbury all right, title, interest and privileges required hereunder, and said Deed shall be held in escrow for recording upon completion of installation.
5. That upon completion of installation, title to said sewer line within City Streets, and any necessary documents be granted to the City in a form which is acceptable to the City Engineer and Corporation Counsel.
6. The petitioner shall convey ownership of and easements to all or such portions of the sewer line as the City Engineer's office determines are of potential benefit to other landowners in the City. Should another, other than the petitioner hold title to any land involved in the approval, then consent prior to any installation or hook-up shall be furnished in a form satisfactory to the City Engineer and Corporation Counsel.
7. No Certificate of Occupancy shall be issued until the above requested forms, documents, plans, etc. are received and the City owns the extended sewer lines.

A motion was made by Councilman Boynton and seconded by Councilman Charles that the Report be accepted and sewer extension granted. Motion carried unanimously.

036-REPORT - Request of Lakewood Associates Limited Partnership for water line extension - Pembroke Road.

Councilman Gallo submitted a Sewer & Water Extension committee report stating that the committee has met and reviewed the above petition with the City Engineer and has also reviewed a recommendation for approval, from the Planning Commission.

It is the recommendation of this committee that the petition be granted with the same conditions and restrictions listed above in the Report for E Hawley.

A motion was made by Councilman Torian and seconded by Councilman McGarry that the Report be accepted as submitted and water extension granted. Motion carried unanimously.

037-REPORT - Re: Forest Avenue Sewer Project Request.

Councilman DaSilva, chairman of the Public Works Committee, submitted a report stating that the committee has studied for many months, a request to install a sanitary sewer on Forest Avenue. The committee set up an informal meeting with residents of this street to explain the general procedures involved in the installation of a sanitary sewer and approximated costs involved. The City Engineer revised his original plans to bring the cost of this project as low as possible and conducted two surveys of the property owners to ascertain their opinions as to the desirability of the sewer line.

The results of the surveys showed a majority of the property owners to be against the installation of the sewer line. It is therefore the recommendation of the Public Works Committee that the petition for the installation of a sewer line on Forest Avenue be denied as the results of a survey of those affected show that a majority are not in favor of this project.

A motion was made by Councilman Gallo and seconded by Councilman McGarry that the Report be accepted as submitted and sewer line denied. Motion carried unanimously.

038-REPORT - Re: Request to sell surplus kitchen equipment at Hatters Community Park.

Councilman DaSilva submitted a report stating that the Public Works Committee studied a request from Parks & Recreation Director, Robert Ryerson, to sell various surplus kitchen equipment at Hatters Community Park.

The Planning Commission has recommended approval of this request. It is therefore the recommendation of this committee that the Common Council approve the request to sell the surplus kitchen equipment at Hatters Community Park through the normal procedures.

A motion was made by Councilman Charles and seconded by Councilman White for the Report to be accepted as submitted. Motion carried unanimously.

039-REPORT - Re: Request to purchase City property at Danbury Airport.

Councilman DaSilva submitted a report stating that the Public Works Committee reviewed a request to purchase a small parcel of City property at the Danbury Airport. The petitioner, Richard Baldwin asked to have his request withdrawn if the sale of this property would require the usual procedure of the declaration of surplus property and the placing of this property out to bid.

Since it is the opinion of this committee, with confirmation of the Planning Commission, that this is the procedure that must be followed, we are recommending the denial of this petition, pursuant to the wishes of the petitioner.

A motion was made by Councilman Gallo and seconded by Councilman McGarry to accept the Report as submitted. Motion carried unanimously.

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040-REPORT & ORDINANCE - Commission on Status of Women.

Councilwoman McManus submitted a committee report stating that the committee appointed to consider the establishment of a Commission on the Status of Women met on November 23, 1981 and again on Dec. 28, 1981.

Present at the meeting in addition to the members of the committee, were Rhoda Daum, temporary chairperson of the Mayors Task Force on Women and Arthur LaRoche from the Equal Rights & Opportunities Office.

Ms. Daum informed the committee that the Mayor's Task Force on Women feels very strongly that there is a need in Danbury for a permanent Commission to be established in order to address those needs which are unique to women.

Ms. Daum assured the committee that the only funds necessary to the Commission would be to cover the costs of duplicating and mailing the minutes of the Commission's meetings.

The committee voted to recommend to the Common Council that a Commission on the Status of Women be established.

A motion was made by Councilwoman McManus and seconded by Councilman DaSilva that the Report be accepted and Ordinance deferred for a public hearing. Motion carried unanimously.

041-REPORT & RESOLUTION - Refugee Health Services.

Councilman Torian submitted a report stating that the Health Committee of the Common Council met on December 15, 1981 to study the request from the Health Department pertaining to refugee health assessments within the Danbury Area.

Mr. Frank Grosso, Director of Health spoke at the committee meeting stating that the Health Department had requested the Common Council to approve a Resolution authorizing the Danbury Health Department and the Mayor to jointly apply for a \$3,500 continuation grant, from the Connecticut State Department of Health.

The purpose of this grant request is to allow the Health Department, through the VNA, to have funds available to provide a timely and comprehensive health assessment of public health problems for newly arriving and already resettled refugees. The Grant is an ongoing State program that is completely funded by the State, therefore no City funds will be required in order for Danbury to actively participate, along with other municipalities. Assistant Corporation Counsel E. Gottschalk assured the committee that the Resolution, prepared by Brian Graney the Grants Administrator, met all legal requirements.

A motion was made by Councilman Boynton and seconded by Councilman Enriquez that the Report be accepted as submitted. Motion carried unanimously.

RESOLUTION - Whereas, the City of Danbury through the Danbury Health Department in cooperation with the Visiting Nurse Association of Danbury has formulated a program to strengthen coordination of refugee health assessment within the Greater Danbury Area; and

WHEREAS, a continuation grant request of \$3,500 with no local match requirement has been processed by the Danbury Health Department;

Now therefore be it resolved that the actions of the Danbury Health Department and the Mayor of the City of Danbury in applying for said continuation grant be and hereby are ratified and authorized, and that any and all additional acts necessary to effectuate the purposes hereof be and hereby are authorized.

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A motion was made by Councilman White and seconded by Councilman Gallo that the Resolution be adopted. Motion carried.
The Resolution was adopted unanimously.

042-REPORT - Request from H.A.R.T. (Report was withdrawn).

043-REPORT - Request for funds from Channel Six.

Councilman Evans submitted a report stating that the committee formed to review the request from Channel Six for funds in the amount of \$56,740, met on Dec. 10, 1981. In attendance were Council members Evans, Butera, Boynton and Dorothy Hull, Director of Channel Six.

Mrs. Hull went over the breakdown of funds needed to keep channel six active for the next six months i.e. salaries, equipment, maintenance of equipment, rent, heat, lights. etc. The committee decided to ask some questions of Corporation Counsel as to the future of Channel Six if funding were not available at the present time.

Most important as answered by Counsel, even if Channel Six shuts down, public access is still provided to interested parties under State Law, by Channel 10. State law states that there must always be a public access channel maintained by each community antenna T.V. Company under Section 16-333c of the State Statutes.

The committee met again on Dec. 29, 1981. In attendance were Councilmen Evans and Boynton. The committee voted unanimously to deny the funds as requested.

A motion was made by Councilman Gallo and seconded by Councilman McGarry that the Report be accepted and request denied.
Motion carried unanimously.

044-REPORT - Land Acquisition Committee.

Councilman Evans submitted a report stating that the Land Acquisition Committee met on December 2, 1981 and took the following action:

1. The property offered to the City by Casa-Torch Inc. on Starrs Plain Road declared as open space, be declined by the City.

A motion was made by Councilman Gallo and seconded by Councilman McGarry that the Report be accepted and property offered be declined.
Motion carried unanimously.

2. The property offered by Mrs. Ruth S. Rothinhaus located in the Boggs Pond area, be refused.

A motion was made by Councilman Eriquez and seconded by Councilman Gallo that the Report be accepted and property refused.
Motion carried unanimously.

045-
REPORT & CERTIFICATION - Funds for Conn. Earth Action Group Inc. for the recycle collection center.

Councilman Cassano submitted a report stating that the committee met on December 28, 1981 and reviewed information pertinent to the petition obtained from Norman Cusack, Atty. Gottschalk, Assistant Corporation Counsel and Mr. D. Setaro from the Comptroller's Office.

State Statutes require the City to have a solid waste management plan, which plan includes consideration of solid waste recycling.

CEAG has been managing the non-profit recycling center in Danbury since 1971 and apparently satisfies the above requirement with no City funding.

The financial statement of CEAG show an existing deficit of \$6,561.23 up to September 30, 1981. At that time, there were also accounts payable of \$321.23 and accounts receivable of about \$4600.00. The major portion of the deficit occurred in 1979 apparently due to a drop in the price paid for paper.

The Comptroller's office believes that the financial records of CEAG could be improved. Also, if the accounts payable and receivable are included in the analysis, the deficit would drop to about \$2300. At the present time, there is a cash-flow problem caused by the relatively large operating deficit of 1979.

Mr. Setaro offered to work with CEAG to update their financial records in order to obtain a more realistic indication of financial position.

At the committee meeting Mrs. Eppoliti moved that the committee recommend to the Common Council that a one-time grant of \$2,500 be given to CEAG to reduce the operating deficit of the recycling center. Mr. Cassano seconded the motion and the committee voted unanimous approval.

The committee recommended that CEAG meet with the Comptroller's Office to review and analyze the CEAG financial situation and methods of financial reporting. If this analysis indicates a need for further funding, this need should be reflected in a budget request for fiscal year 1982-1983. At least 10 percent of the grant must be used for advertising the recycling services.

CERTIFICATION - A Certification was submitted by Mr. John P. Edwards Acting Director of Finance, in the amount of \$2,500 available in the State Contingency Fund to be transferred to Common Council Contributions & Grants Acct. #02-01-100-072800.

A motion was made by Councilman Gallo and seconded by Councilman Eriquez that the Report be accepted and funds authorized.

Councilman Boynton spoke in opposition to the request, stating that it would not be a one-time grant and that it would become a regular budget item. Mr. Boynton urged members to vote No on the recommendation.

Councilwoman Eppoliti spoke in favor of the request stating that this man has done a great service to Danbury in operating the recycling center.

Councilman White spoke in opposition agreeing with Mr. Boynton that a one-time grant is not always a one-time grant.

Councilman Farah spoke in favor saying that the State Statutes requires a recycling center.

Mayor Dyer remarked that the City cannot violate State Statutes, mentioning the Energy study on the Landfill.

Councilman Cassano remarked that State Statutes do require us to provide this service.

Councilman White remarked that very few people use the recycling center. If the State demands, why not it be funded by Hartford.

The motion for the acceptance of the report with funds authorized, carried by a vote of 18 Ayes - 2 Nays (Councilmen White and Boynton voted Nay) Councilwoman Butera was absent)

046-REPORT - Request of D.M.E.A. to establish an account for the proceeds of the vending machines.

Councilman Cassano submitted a report stating that the committee met on Dec. 28, 1981 and reviewed information pertinent to the petition, obtained from Mr. D. Setaro of the Comptroller's Office and Mr. L. Miguel President of D.M.E.A.

D.M.E.A. would like to use the vending machine proceeds to set up a Sunshine Fund account for city employees. Presently, separate collections are taken up to purchase flowers, cards etc. for the ill or hospitalized or when a death occurs.

The proceeds from the vending machines were about \$90 over the last year. The proceeds are expected to be somewhat higher next year since additional machines have been installed.

At present, the vending machine proceeds are sent to the City and placed in the general fund.

The Comptroller's office has no objection to the DMEA request and offered a number of alternate approaches.

Retain present arrangement and have the City pay the bills for flowers, cards etc. City would pay up to the amount received from the vending company. City can receive payment from vending machine company and turn it over to DMEA. Vending company can transmit payment directly to DMEA.

Mr. Miguel has indicated that DMEA would have no objection to these alternatives.

Following this discussion, the committee recommends that the vending machine proceeds be used for a Sunshine Fund for City employees. The exact way in which this is to be done should be based on the alternatives listed above and the final determination should be reached by agreement between the Comptroller's Office and the DMEA.

A motion was made by Councilman Boynton and seconded by Councilman McGarry that the Report be accepted and permission Granted to use the proceeds of the vending machines. Motion carried by a vote of 18 Ayes - 2 Nays. Councilmen DaSilva and Burke voted Nay. Councilman Burke remarked that the request should be denied as donations should come from the heart and not a machine.

047-REPORT & RESOLUTION - Benefits for Administrative Employees.

Councilman Cassano submitted a report stating that the committee met on Dec. 28, 1981 to review the petition, including the resolution submitted by Mr. Edwards. The committee concurred in the concept that administrative employees should have some voice in the determination of their benefit programs. Further, it is important that the Mayor exercise control in this determination and the Common Council retain the power of ratification. The requested Resolution provides for the above requirements.

Attorney Gottschalk's review and opinions of the Resolution were discussed and his suggested changes were incorporated into the Resolution.

The committee recommended to the Common Council that the Resolution be adopted.

A motion was made by Councilman DaSilva and seconded by Councilman Repole to accept the Report. Motion carried unanimously.

A motion was then made by Councilman Evans and seconded by Councilman McGarry that the Resolution be denied. Councilman Evans stated that we have not had a human cry from Department Heads and it would only be another body to deal with.

The Resolution was denied by a vote of 3 Ayes (Cassano, Eppoliti & Zotos voted Aye. All other members present voted Nay (17 votes)

048-REPORT - Welfare Department concern and needs.

Councilman Cassano submitted a report stating that the committee met on December 16, 1981 with Deborah MacKenzie, Acting Director of Welfare. Ms. MacKenzie briefed the committee with a presentation of the quality of work being done by the Welfare Department.

\$35,000 is presently budgeted for medical costs of indigents, including the hospital bills of those who cannot pay, with \$21,000 spent for the 5 month period July through November, 1981.

Ms MacKenzie would like to make the following adjustments:

Make the temporary caseworker a permanent employee.

Fill the position of Assistant Supervisor by a promotion from within the department.

Hire a Clerk-typist -receptionist for at least half-time service.

The committee was impressed by the presentation and sees no reason why the department should not be staffed in accordance with presently budgeted positions.

The committee recommended that the position of Assistant Supervisor be filled from within the Welfare Department and that the addition of any personnel beyond those in the present budget be reflected in the department budget request for 1982-1983 fiscal year. (This might include an additional caseworker and/or a clerk-typist).

Councilman Gallo spoke in opposition to the recommendation of the committee stating that there are only two full-time people in the Welfare Department.

Councilman Boynton stated that the Civil Service positions should come from outside.

Mayor Dyer explained that we cannot limit eligibility to classified positions, and would view the report as a recommendation. All Civil Service Number One candidates will be hired.

A motion was made by Councilman Charles and seconded by Councilman Cassano that the Report be accepted. Motion carried unanimously. The Report was accepted as a recommendation only.

Review of City

049-REPORT -/Compliance with Section 504 - (Handicapped), Rehabilitation Act of 1973.

Councilman Cassano submitted a report stating that the committee met on December 16, 1981 with Arthur LaRoche, Director of the Commission on Equal Rights & Opportunities and Ernest Goldstein of TaAgan Point Road.

The history of the committee's study of the requirements of Section 504 was reviewed. While work is being done, relative to compliance with Section 504, it appears that the effort is fragmented among several City Departments. The committee concurred in the need for a focal point.

The Committee recommended to the Common Council that the Corporation Counsel's Office prepare an Ordinance for creation of a Commission for the Handicapped, consisting of nine members to be appointed by the Mayor for overlapping terms of three years. The members should be residents or taxpayers of Danbury. At least 1/3 of Commission membership should be handicapped or parents of handicapped persons.

Also, it is recommended that the Office of Equal Rights & Opportunities be represented on the Commission. The purpose of the Commission is to advise the Office of Equal Rights and Opportunities in all matters relevant to compliance with Section 504 of the Rehabilitation Act of 1973 and all applicable amendment.

The Committee referred the Corporation Counsel's office to the Bridgeport Ordinance for information.

A motion was made by Councilman Evans and seconded by Councilman Gallo for the Report to be accepted. Motion carried unanimously.

050-REPORT - Review of Aviation Minimum Lease Standards.

Councilman Cassano submitted a report stating that the committee met on December 15, 1981 with Assistant Corporation Counsel E. Gottschalk, Common Council President C. McManus, Councilman White from the 6th Ward, Airport Administrator, J. Thompson; Aviation Commission members, Ron Bessinger, Ann Loehman, Leo Moore and Mr. Robert Zohn of 42 Ole Musket Lane.

The meeting was started with a review of the history of the committee and its Charter. It was made clear that the committee's purpose was to review the Aviation Minimum Lease Standards and recommend any changes that the committee thought desirable.

The following facts were established:

1. State Statutes gives the Aviation Commission the power to negotiate leases of land, facilities and buildings owned by the Town of Danbury and used for airport purposes and, upon the completion such negotiations, to make recommendations as to the terms of such leases to the Common Council.
2. State Statutes gives the Aviation Commission the power to issue permits for flying and other aeronautical activities in connection with the use of the Danbury Airport and to fix the fees for such permits.
3. The Danbury Charter requires that leases of real estate belongings to the City be approved by at least 2/3 of all the members of the Common Council at a legal meeting.

The existing minimum lease standards were generated by the Aviation Commission and adopted by the Common Council around June of 1970. There have been amendments voted on by the Aviation Commission. It was Attorney Gottschalk's opinion that these amendments are in force since the minimum lease standards contain a statement that the standards may be amended by the Commission after due notice and a public hearing. Nevertheless, there is a certain amount of confusion concerning the effectivity of the amendments.

The committee agreed unanimously that nothing should be done to limit or change in any way, the respective responsibilities and prerogatives of the Aviation Commission and the Common Council. The State and City Statutes appear definitive.

Attorney Gottschalk suggested that, since the main problem appeared to be monetary in nature, the committee consider recommending the removal of Section 9.1 from the standards. Section 9.1 deals specifically with the determination of annual rent. The remainder of Section 9 appears to deal with the permits and fees established by the Aviation Commission.

No real consensus of opinion was reached but the general conclusions of the committee could be summarized as follows:

1. The annual rent figure in the standards (6% of fair market value) appears to be low.
2. Any lease should include an escalation clause tied to some national economic indication (e.g. Consumer Price Index).
3. A 25-year lease term is probably necessary to obtain mortgage financing.

The Committee recommended to the Common Council that the Aviation Commission be requested to delete Section 9.1 from the minimum lease standards. (In this way, the monetary terms of each lease would be negotiated independently).

The committee also recommended that the Aviation Commission be requested to review and update the minimum lease standards as needed. (In this way, the existing amendments could be reviewed and put into the body of the standards).

The committee went on record in thanking the Airport Administrator and the attending members of the Aviation Commission, for their helpful information, comments and suggestions.

A motion was made by Councilman Evans and seconded by Councilman Charles for the Report to be accepted as submitted. Motion carried by a vote of 19 Ayes 1 Nay (Councilman White voted Nay). Mrs. Butera was absent.

051-REPORT & CERTIFICATION - Request for transfer of funds to the Veterans Advisor for a filing system.

Councilman Boynton submitted a report stating that the committee met on Nov. 17, 1981 with A. Hennessey - Veterans Advisor.

Mr. Hennessey explained that due to changes in the City Hall offices, his office lost its file room and caused him to put all 16-4 drawer filing cabinets in his office. This gives him only 1 to 2 feet between his desk and the filing cabinets on both sides of his small office.

The new system will take up only one side of his office and would allow approximately 40% increase in filing space available for future growth.

The cost of the new system would be \$3,987.10 - Installation \$450.00, Total \$4,437.10. According to the City Purchasing Agent, S. Hamilton, the cost would be offset in part by transferring the existing 4 drawer cabinets to other departments and agencies. Therefore the real cost of this request is \$1,525.10.

The committee recommended the transfer of funds as requested (\$4,437.10).

CERTIFICATION - A Certification in the amount of \$4,437.10 available in the Contingency Account to be transferred to the Veterans Advisory, Office Equipment Account, was submitted by Mr. John P. Edwards, Director of Finance, Acting.

A motion was made by Councilman DaSilva and seconded by Councilman Eriquez that the Report be accepted and transfer of funds authorized. Motion carried unanimously.

Mayor Dyer then appointed the following members to the Land Acquisition Committee: Evans, Butera, Repole, White, Gallo, Charles.

Mayor Dyer appointed the following members to the Road Study Committee: Cassano, Torian, Gallo, White, Butera, McGarry.

PUBLIC SPEAKING SESSION

Mrs. Doris Shoemaker spoke praising the Common Council appointment of Paul Mangiafico to the Zoning Commission and criticized Councilman Burke for his referral of all other appointments.

Mr. John P. Edwards spoke in reference to item #47 on the Agenda stating that this request for Administrative employees was made by a number of people, namely, Mr. Garofalo, Mr. Schweitzer, Mr. Butera, etc.

Mr. Edwards asked that in the absence of a bargaining unit, this request be reconsidered.

There being no further business to come before the Common Council a motion was made by Councilman Evans and seconded by Councilman McGarry to adjourn at 10:00 O'Clock P.M.

Respectfully submitted

Mary Rickett
Assistant City Clerk

Attest:

Elyse H. Hudgins
City Clerk